
TITLE 71 INDIANA HORSE RACING COMMISSION

Emergency Rule
LSA Document #12-674(E)

DIGEST

Adds [71 IAC 1-1-75.1](#) to define pari-mutuel ticket. Adds [71 IAC 9-1.1](#) and [71 IAC 9-1.5](#) regarding mobile wagering. Amends [71 IAC 9-2.5-1](#) to include mobile wagering. Effective December 31, 2012.

[71 IAC 1-1-75.1](#); [71 IAC 9-1.1](#); [71 IAC 9-1.5](#); [71 IAC 9-2.5-1](#)

SECTION 1. [71 IAC 1-1-75.1](#) IS ADDED TO READ AS FOLLOWS:

[71 IAC 1-1-75.1](#) "Pari-mutuel ticket" or "ticket" defined

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31](#)

Sec. 75.1. "Pari-mutuel ticket" or "ticket" means an electronic or printed record instrument, paper or plastic, issued by an association, and approved by the commission as evidence of a contribution to the pari-mutuel pool.

(Indiana Horse Racing Commission; [71 IAC 1-1-75.1](#); emergency rule filed Dec 31, 2012, 11:27 a.m.: [20130109-IR-071120674ERA](#))

SECTION 2. [71 IAC 9-1.1](#) IS ADDED TO READ AS FOLLOWS:

Rule 1.1. Mobile Wagering Definitions

[71 IAC 9-1.1-1](#) Applicability

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31](#)

Sec. 1. The definitions in this rule apply throughout this article.

(Indiana Horse Racing Commission; [71 IAC 9-1.1-1](#); emergency rule filed Dec 31, 2012, 11:27 a.m.: [20130109-IR-071120674ERA](#))

[71 IAC 9-1.1-2](#) "Mobile wagering" defined

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31](#)

Sec. 2. "Mobile wagering" means an electronic wireless system approved by the commission that allows a patron to place wagers funded by a mobile wagering account by means of a mobile wagering device.

(Indiana Horse Racing Commission; [71 IAC 9-1.1-2](#); emergency rule filed Dec 31, 2012, 11:27 a.m.: [20130109-IR-071120674ERA](#))

[71 IAC 9-1.1-3](#) "Mobile wagering account" defined

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31](#)

Sec. 3. "Mobile wagering account" means a system of account wagering available to mobile wagering patrons.

(Indiana Horse Racing Commission; [71 IAC 9-1.1-3](#); emergency rule filed Dec 31, 2012, 11:27 a.m.: [20130109-IR-071120674ERA](#))

[71 IAC 9-1.1-4](#) "Mobile wagering device" defined

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31](#)

Sec. 4. "Mobile wagering device" means an electronic contrivance capable of interacting with a totalizator system, which allows the placing of wagers wirelessly.

(Indiana Horse Racing Commission; [71 IAC 9-1.1-4](#); emergency rule filed Dec 31, 2012, 11:27 a.m.: [20130109-IR-071120674ERA](#))

SECTION 3. [71 IAC 9-1.5](#) IS ADDED TO READ AS FOLLOWS:

Rule 1.5. Mobile Wagering

[71 IAC 9-1.5-1](#) General rules

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31](#)

Sec. 1. (a) A patron utilizing a mobile wagering device must:

- (1) abide by all current commission rules and regulations;**
- (2) be eighteen (18) years of age or older;**
- (3) establish a mobile wagering account; and**
- (4) place all wagers within areas approved by the commission.**

(b) The mobile wagering device must be:

- (1) approved by the commission;**
- (2) connected to an association's secure network;**
- (3) inoperable for wagering when:**
 - (A) not connected to an association's secure network; or**
 - (B) outside areas approved by the commission; and**
- (4) capable of patron review of and cancellation of wagers.**

(Indiana Horse Racing Commission; [71 IAC 9-1.5-1](#); emergency rule filed Dec 31, 2012, 11:27 a.m.: [20130109-IR-071120674ERA](#))

[71 IAC 9-1.5-2](#) Mobile device account wagering

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31](#)

Sec. 2. (a) A mobile wagering account patron must:

- (1) be eighteen (18) years of age or older;**
- (2) provide such personal information as the association and commission require;**
- (3) open the mobile wagering account on association grounds; and**
- (4) agree in writing to obey all mobile account wagering rules and regulations as the commission and association require.**

(b) An association must provide each mobile wagering account patron the following:

- (1) a personal account username or number;
- (2) a confidential account password or pin number;
- (3) an electronic record of information required by section 2(d) of this rule [subsection (d)]; and
- (4) a printed or electronic record of the wagers made that day by the patron if requested by the patron.

(c) A mobile wagering account must be:

- (1) funded only by cash, voucher, winning pari-mutuel ticket, or refunded pari-mutuel ticket;
- (2) nontransferable between patrons; and
- (3) subject to withdrawal by the mobile wagering account patron at all times when pari-mutuel tickets may be cashed.

(d) The association must maintain the following information on wagers funded by a mobile wagering account:

- (1) the name of the association operating the meeting;
- (2) a unique identifying number or code;
- (3) identification of the mobile wagering device on which the wager was issued;
- (4) a designation of the performance for which the wagering transaction was issued;
- (5) the contest number for which the pool is conducted;
- (6) the type or types of wagers represented;
- (7) the number or numbers representing the betting interests for which the wager is recorded; and
- (8) the amount or amounts of the contributions to the pari-mutuel pool or pools to which mobile wagers were recorded.

(Indiana Horse Racing Commission; [71 IAC 9-1.5-2](#); emergency rule filed Dec 31, 2012, 11:27 a.m.: [20130109-IR-071120674ERA](#))

SECTION 4. [71 IAC 9-2.5-1](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 9-2.5-1](#) Wagering rules

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31](#)

Sec. 1. (a) Wagering on credit is prohibited.

(b) All pari-mutuel tickets must be paid for in full at the time the ticket is issued from the totalizator system with:

- (1) U.S. currency;
- (2) winning pari-mutuel tickets;
- (3) refunded pari-mutuel tickets; or
- (4) by a commission-approved totalizator voucher system.

(c) Account wagering, other than a commission-approved totalizator voucher system **or mobile wagering**, is prohibited.

(d) Licensees shall not make a wager based upon instructions received by telephone, facsimile, or similar device.

(e) In the event that the mutuel machine fails to lock at the commencement of a race, no licensee shall knowingly issue any tickets from his or her terminal or any other terminal. Nor shall any licensee assist any individual in procuring such tickets. Any failure to lock on time shall be immediately reported to the mutuel manager or the satellite facility manager and the commission.

(Indiana Horse Racing Commission; [71 IAC 9-2.5-1](#); emergency rule filed Mar 25, 1997, 10:00 a.m.: 20 IR 2061; emergency rule filed Feb 13, 1998, 10:00 a.m.: 21 IR 2426; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: [20070404-IR-071070030RFA](#); emergency rule filed Dec 31, 2012, 11:27 a.m.: [20130109-IR-071120674ERA](#))

LSA Document #12-674(E)

Filed with Publisher: December 31, 2012, 11:27 a.m.

Posted: 01/09/2013 by Legislative Services Agency

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